

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION**

**IN RE:  
RICHARD RAY SCARBOROUGH**

**CASE NO: 09-10170-RLJ-13  
DATED: December 3, 2012  
HEARING DATE: 1/3/2013  
HEARING TIME: 11:00 AM**

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**NOTICE OF WITHDRAWAL OF THE TRUSTEE'S MOTION TO COMPEL DEBTOR TO FILE WITH THE COURT A COPY OF THE DEBTOR'S 2011 FEDERAL INCOME TAX RETURN OR IN THE ALTERNATIVE TO PROVIDE A COPY TO THE TRUSTEE AND/OR TO PAY ANY EXCESS TAX REFUND TO THE TRUSTEE WITHIN TEN (10) DAYS OF THE ENTRY OF THE ORDER REQUESTED HEREIN**

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NOW COMES Walter O'Cheskey, Chapter 13 Trustee, AND HEREBY WITHDRAWS his "MOTION TO COMPEL DEBTOR TO FILE WITH THE COURT A COPY OF THE DEBTOR'S 2011 FEDERAL INCOME TAX RETURN OR IN THE ALTERNATIVE TO PROVIDE A COPY TO THE TRUSTEE AND/OR TO PAY ANY EXCESS TAX REFUND TO THE TRUSTEE WITHIN TEN (10) DAYS OF THE ENTRY OF THE ORDER REQUESTED HEREIN" without prejudice to refilling the same, for the motion dated 11/14/2012.

/s/ Walter O'Cheskey  
Walter O'Cheskey, Chapter 13 Trustee  
6308 Iola Avenue,  
Lubbock TX 79424

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Notice of Withdrawal was this date served on the following parties electronically or by U.S first class mail:

/s/ Walter O'Cheskey  
Walter O'Cheskey, Chapter 13 Trustee  
6308 Iola Avenue,  
Lubbock TX 79424

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 1901-7346

Debtor Attorney  
MONTE J WHITE & ASSOCIATES PC  
ATTORNEY AT LAW ABILENE  
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ABILENE TX 79601-0000

Debtor1:  
RICHARD RAY SCARBOROUGH  
2410 MAPLE STREET

Debtor 2:

ABILENE TX 79602